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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 C.S., by and through his Conservator,) CASE NO.: 08 CV 0226 W (AJB)
11 MARY STRUBLE, on behalf of himself) JOINT MOTION UPON
12 and all others similarly situated,) STIPULATION FOR DISMISSAL
13) WITH PREJUDICE OF COMPLAINT
14 Plaintiff,) FOR PERMANENT INJUNCTION
15) AND PROPOSED ORDER THEREON
16 v.)
17 CALIFORNIA DEPARTMENT OF) Hearing Date:
18 EDUCATION, a State Agency, et al.,) Judge: Honorable Thomas J. Whelan
Defendants.)

19

20 The parties hereto, by and through their respective attorneys, have agreed to
21 and jointly move for an Order of Dismissal With Prejudice of Plaintiff's Class
22 Action Complaint For Permanent Injunction and Temporary Restraining Order
23 filed on February 5, 2008 pursuant to FRCP Rule 65 ("the Class Action").
24

25 This motion is made upon stipulation of the parties due to the execution of a
26 new Interagency Agreement between CDE and OAH effective July 1, 2008, the
27 relief sought in Plaintiff's prayer of "enjoining CDE from renewing or awarding
28 the Interagency Agreement effective July 1, 2008 to OAH" the Class Action is
moot.
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08 CV 0226 W (AJB)
Joint Motion/Stipulation For
Dismissal With Prejudice of
Complaint For Permanent Injunction

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all parties who
2 have appeared stipulate that the Class Action is moot and should be dismissed with
3 prejudice.

4 IT SO STIPULATED.

5 DATED: 7/8/08

EDMUND G. BROWN, JR.
ATTORNEY GENERAL OF THE
STATE OF CALIFORNIA

6 By: Susan K. Leach

7 SUSAN K. LEACH, Attorneys for
8 Defendant, Ronald Diedrich, in his
9 official capacity as Director and Chief
10 Administrative Officer of the State of
11 California Office of Administrative
12 Hearings (OAH)

13 DATED: 7/8/08

14 MARSHA A. BEDWELL, GENERAL
15 COUNSEL CALIFORNIA
16 DEPARTMENT OF EDUCATION

17 By: Gabriel C. Vivas

18 GABRIEL C. VIVAS, Attorneys for
19 Defendant, CDE

20 DATED: 7/8/08

21 ELLEN DOWD, Attorney for Plaintiff,
22 C.S.